GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh State Human Rights Commission – Temporary allotment of staff members to work in the Andhra Pradesh State Human Rights Commission – Orders – Issued.

GENERAL ADMINISTRATION (SC.II) DEPARTMENT

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G.O.Rt.No.1588 Dated:25-09-2021

Read the following:-

1. G.O. Ms. No. 48, General Administration (HRC) Department, dated 28.01.2015.
2. G.O. Ms. No. 53, Finance (SMPC) Department, dated 18.03.2006.
3. G.O. Ms. No. 52, General Administration (HRC) Department, dated 30.01.2008.
4. G.O. Ms. No. 210, Finance (SMPC.I) Department, dated 03.08.2013.
5. Notification No. GSR 369(E), dated 07.05.2015 of the Central Government, Ministry of Home Affairs.
6. Letter No. GAD01-LO0HR/5/2021-SC.II, General Administration (SC.II) Department, dated 22.06.2021.
7. D.O. Letter No. 235/SR/2021, dated 23.06.2021 of the Member Secretary to Advisory Committee, AP Reorganisation & E.O. Principal Secretary to Government (SR), General Administration Department.
8. U.O. Note No. 1/33/SR-GC/2021, General Administration (SR-GC) Department, Government of Telangana, dated 30.06.2021.
9. Proceedings of the Secretary & CEO, Telangana State Human Rights Commission, ROC No. 128/HRC/A2/Estt./2021/5270, dated 03.07.2021.
10. Letter No. GAD01-LO0HR/5/2021-SC.II, General Administration (SC.II) Department, dated 02.08.2021.

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ORDER:

In the G.O. first read above, the Andhra Pradesh Human Rights Commission was constituted, in terms of sub-section (1) of Section 21 of the Protection of Human Rights Act, 1993 (Act N. 10 of 1993) to perform the functions assigned to SHRC under Chapter-V of the said Act for better protection of human rights of the citizens. In the G.O. second read above, 49 posts were sanctioned to the Andhra Pradesh State Human Rights Commission. The G.O. third read above, the Andhra Pradesh State Human Rights Commission (Officers and other Staff Service) Rules, 2008 have been notified. According to rule 3 of the said rules, the method of appointment for various categories of posts includes (i) by deputation; (ii) by appointment by transfer; (iii) by promotion and (iv) by direct recruitment. Under rule 6 of the said Rules, the Chairperson of the Commission is the appointing authority and disciplinary authority. On the proposal of the Secretary, APSHRC, Government have sanctioned (32) additional posts in (10) categories to the APSHRC, vide G.O. fourth read above. Therefore, the total cadre strength of the APSHRC is 81, as detailed below:-

Sl. No.	Name of the Post	Cadre strength
1	Secretary	1
2	Deputy Registrar-cum- Private Secretary to Chairperson	1
3	Administrative Officer (present incumbent holding the post is a Retired A.O. having local status of Telangana)	1
4	Assistant Registrar (Judicial) (person having local status of Telangana is holding the post)	1

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5	Public Relations Officer (person having local status of Telangana is holding the post)	1
6	Section Officers	4
7	Court Officers	2
8	Court Masters	5
9	U.D. Stenographers	3
10	Computer Operators	2
11	Senior Assistants	5
12	Junior Assistants	12
13	Network-cum-System Administrator	1
14	Record Assistants	2
15	Drivers	6
16	Office Subordinates	29
17	Sweepers	3
18	Watchman	2
	TOTAL	**81**

2. In the reference fifth read above, the Central Government, Ministry of Home Affairs, in exercise of the powers conferred by sub-section (2) of Section 75 of the Andhra Pradesh Reorganisation Act, 2014, issued Notification including 35 Institutions in the Tenth Schedule of the A.P. Reorganisation Act, 2014. The Andhra Pradesh State Human Rights Commission was one among the said 35 Institutions notified.

3. According to the provisions of the A.P. Reorgnisation Act, 2014, the posts, assets, liabilities have to be divided between the States of Andhra Pradesh and Telangana in population ratio which means the ratio of 58.32 : 41.68 as per 2011 Census. The division of posts and assets / liabilities and allocation of staff of the APSHRC has not been finalized so far.

4. After bifurcation of the State, the Government have issued orders appointing Chairperson and members to A.P. State Human Rights Commission vide G.O.Ms. No. 32, 33 and 34, GA (SC.II) Dept dated 21.03.2021, respectively. Accordingly, they have assumed office on 24.03.2021. Government notified the headquarters of the A.P. State Human Rights Commission at Kurnool vide G.O. 88, GA (SC.II) Dept dated 24.08.2021. Presently, the APSHRC is functioning from Kurnool from 01.09.2021.

5. As the entire staff of the erstwhile APSHRC are working in Telangana State Human Rights Commission and in order to set up the Office of the A.P. State Human Rights Commission with staff, in the reference sixth read above, the Secretary & CEO, Telangana State Human Rights Commission has been requested to depute 2 Section Officers, 4 Senior Assistants / Junior Assistants and 4 Office Subordinates to work in the O/o the A.P. State Human Rights Commission and direct them to report before the APSHRC. In the reference seventh read above, the Member Secretary to Advisory Committee, A.P. Reorganisation & E.O. Principal Secretary to Government (SR), addressed the Principal Secretary to Government, General Administration (SR-GC) Department, Government of Telangana, requesting to issue necessary instructions immediately to the Secretary & CEO, TSHRC to depute the staff as requested by the Principal Secretary to Govt. (Political), General Administration Department in the reference sixth read above, as inconvenience is being faced by the A.P. State Human Rights Commission due to lack of staff. It was also requested to convey the concurrence of the Government of Telangana for taking up the allocation of employees of APSHRC between the two States, pending division of movable and immovable assets.

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6. In the reference eighth read above, General Administration (SR-GC) Department, Government of Telangana issued instructions to the General Administration (Spl.D) Department to instruct the Secretary & CEO, TSHRC to take necessary action on the request of the Government of Andhra Pradesh on deputing the staff members to work in the APSHRC pending final bifurcation of posts and employees of erstwhile APSHRC between TSHRC & APSHRC.

7. In the reference ninth read above, the Secretary & CEO, Telangana State Human Rights Commission relieved the following staff members from the office of the TSHRC with a direction to report in the APSHRC:-

1. Smt. G. Suneetha	: Section Officer
2. Sri B.T. Narasimha Kumar	: Section Officer
3. Sri N. Suresh Babu	: Computer Operator
4. Sri N. Srinivasulu Reddy	: Junior Assistant
5. Sri D. Dhanraj	: Junior Assistant
6. Sri Shaik Mohammed Rafi	: Junior Assistant
7. Sri Y. Srinivasa Rao	: Office Subordinate
8. Sri R. Manoj	: Office Subordinate
9. Sri Ch. Durga Rao	: Office Subordinate
10. Sri G. Subbarao	: Office Subordinate

8. In pursuance of the said orders, the above said 10 staff members have reported before the APSHRC and working in the Commission.

9. It has been brought to the notice that the pay and allowance of the above 10 staff members are not being drawn and paid by the TSHRC on the plea that they have been relieved from the TSHRC to report in the APSHRC. As the division of posts of the erstwhile APSHRC is not yet finalized, in the reference tenth read above, the Chief Secretary to Government, Telangana State has been requested to issue instructions to the officers concerned to draw the pay and allowances of above 10 staff members and claim the same for reimbursement from Government of Andhra Pradesh. But so far no salaries have been paid by the TSHRC.

10. After careful examination of the issue, it is evident that even for the purpose of deputation or temporary allocation, existence of sanctioned/allotted posts is a prerequisite condition. In the absence of sanctioned/allotted posts, it may not be possible to draw their pay and allowances, even if they are to be treated as temporarily allotted. Further, out of the 81 posts sanctioned to the Erstwhile APHRC, (47) posts accrue to APSHRC, as per the entitlement as per population ratio , in each category. Out of the above, 5 posts are already sanctioned. Hence, the balance posts available are 42. Out of these 42 posts, the 10 posts now under the consideration may be treated as provisionally allocated to APSHRC from the date of reporting of these employees before the APSHRC, pending final allocation of posts. Further, since these 10 employees were sent on deputation from TSHRC to APSHRC on the request of Government of AP, it is advisable to treat them as employees on deputation, till final allocation of employees is done.

11. In order to address the issue, Government hereby direct that the staff members shown at para-7 above who were relieved from the Telangana State Human Rights Commission and reported to the Andhra Pradesh State Human Rights Commission shall be treated as employees on deputation to the A.P. State Human Rights Commission from the date of their reporting before the A.P. State Human Rights Commission till final allocation of employees is done.

(PTO)

12. All the concerned shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
CHIEF SECRETARY TO GOVERNMENT

To
The Secretary,
Andhra Pradesh State Human Rights Commission,
State Guest House, STBC College Road, Dharma Pet, Kurnool,
Andhra Pradesh- 518004

The General Administration (SR-GC) Department, Government of Telangana, Hyderabad.
The General Administration (Spl.D) Department, Government of Telangana, Hyderabad.
The Secretary & CEO, Telangana State Human Rights Commission, Gruhakalpa Complex, M.G. Road, Nampally, Hyderabad -500 001.
The Pay & Accounts Officer, A.P., Vijayawada.
Copy to:
The General Administration (SR) Department.
The Accountant General, A.P., Vijayawada.
The DDO & Asst. Secretary to Govt.,
General Administration (Claims) Department.
SF

// FORWARDED BY ORDER //

SECTION OFFICER (SC)